

HOUSE BILL NO. 635

INTRODUCED BY J. WINDY BOY

A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING THE LAWS RELATING TO CONSERVATION DISTRICTS; REQUIRING STATE CONSERVATION DISTRICTS TO CONSULT ANNUALLY WITH TRIBAL CONSERVATION DISTRICTS; CLARIFYING THAT THE TERRITORY OF A COUNTY CONSERVATION DISTRICT MAY NOT OVERLAP WITH THE TERRITORY OF A TRIBAL CONSERVATION DISTRICT; ALLOWING A TRIBAL CONSERVATION DISTRICT TO APPLY FOR CONSERVATION DISTRICT GRANTS FROM THE STATE; AND AMENDING SECTIONS 76-15-216 AND 76-15-530, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. Section 1. Consultation required. At least once a year, the supervisors of a conservation district whose boundaries are contiguous to the boundaries of a tribal conservation district shall meet with the supervisors of the tribal conservation district to discuss mutual issues of concern, including but not limited to:

(1) the conservation of soil, water, and other renewable resources; and

(2) the interaction of tribal and state laws pertaining to land and environmental issues.

Section 2. Section 76-15-216, MCA, is amended to read:

"76-15-216. Limitation on territory included in district. The boundaries of the district must include the territory as determined by the department, but may not include any area included within the boundaries of another conservation district or any area within the boundaries of an established tribal conservation district. The existing boundaries of a conservation district must be adjusted to prevent overlap with the tribal conservation district."

Section 3. Section 76-15-530, MCA, is amended to read:

"76-15-530. Conservation district appropriations -- administration. (1) The state treasurer shall draw warrants payable from appropriations of allocations authorized as provided under 15-35-108 on order from the department.

(2) The department shall administer the conservation district appropriations referred to in subsection (1). The money must be distributed to the conservation districts on the basis of need. A conservation district and a tribal conservation district may submit an application to the department for a grant of funds for purposes that conservation districts are authorized to perform.

(3) ~~A~~ Except for a tribal conservation district, a conservation district is not eligible to receive a grant unless it has exhausted its authorized mill levies.

(4) The department may adopt rules implementing this section that provide for the form and content of applications and the criteria, terms, and conditions for making grants. The department may not adopt rules that prevent a tribal conservation district from applying for and receiving a grant under this section."

NEW SECTION. **Section 4. Notification to tribal governments.** The secretary of state shall send a copy of [this act] to each tribal government located on the seven Montana reservations.

NEW SECTION. **Section 5. Codification instruction.** [Section 1] is intended to be codified as an integral part of Title 76, chapter 15, part 4, and the provisions of Title 76, chapter 15, part 4, apply to [section 1].

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